

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,)	
)	File No. 11-CR-386
Plaintiff,)	(MJD)
)	
vs.)	Minneapolis, Minnesota
)	May 13, 2015
Okwuchukwu Emmanuel Jidoefor,)	10:40 a.m.
)	
Defendant.)	
)	

BEFORE THE HONORABLE MICHAEL J. DAVIS
UNITED STATES DISTRICT COURT JUDGE

(FINAL REVOCATION HEARING)

APPEARANCES:

For the Plaintiff: U.S. Attorney's Office
LOLA VELAZQUEZ-AGUILU, AUSA
600 U.S. Courthouse
300 South Fourth Street
Minneapolis, Minnesota 55415

For the Defendant: CAROLINE DURHAM, ESQ.
Suite 7243
1072 West Peachtree Street
Atlanta, Georgia 30357

Court Reporter: LORI A. SIMPSON, RMR-CRR
Suite 146
316 North Robert Street
St. Paul, Minnesota 55101

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P R O C E E D I N G S

IN OPEN COURT

(Defendant present)

THE COURT: Let's call this matter.

COURTROOM DEPUTY: The United States of
America vs. Okwuchukwu Emmanuel Jidoefor, Criminal Case
Number 11-CR-386.

Counsel, please state your appearances for the
record.

MS. VELAZQUEZ-AGUILU: Good morning, Your Honor.
Lola Velazquez-Aguilu for the United States.

THE COURT: Good morning.

MS. DURHAM: Good morning, Your Honor. Caroline
Durham on behalf of Mr. Jidoefor, who is at counsel table.

THE COURT: Good morning. Step forward. This is
a continued hearing; is that correct?

MS. DURHAM: Yes, Your Honor.

THE COURT: What is your pleasure? Where are we
on this?

MS. DURHAM: At our last hearing, Your Honor,
Mr. Jidoefor admitted to violating the conditions of his
supervision, to include failure to maintain contact with his
probation officer, failure to notify his probation officer
before moving, and failure to communicate with probation
before opening new lines of credit. We are prepared to move

1 forward to the question of whether the Court will revoke
2 him --

3 THE COURT: All right.

4 MS. DURHAM: -- and what the consequence might be.

5 THE COURT: You may be heard.

6 MS. DURHAM: Thank you, Your Honor.

7 To supplement what has been provided to the Court
8 in writing and at the last hearing, we would ask that the
9 Court find that it's a Grade C violation.

10 And recognizing the complexities that caused the
11 continuance and the complexities that get Mr. Jidoefor here,
12 we're asking that you not revoke, but do impose essentially
13 a six-month time in custody. He has served that time. He's
14 been in custody since November 6th.

15 In addition to the explanation provided for what
16 occurred to get him back in front of you, the time that he
17 served in that six months has been challenging in large part
18 because two of the co-defendants on the associated case were
19 at Sherburne County and he got labeled a snitch. He spent
20 much of his time in segregation. He had threats and
21 violence that he had to deal with. And ultimately, with the
22 assistance of the U.S. Attorney's Office, he was moved to
23 Anoka County in this six-month period.

24 We have had extensive conversations about his
25 supervision and what it means. Every probationer who comes

1 before you has been told their obligations. The background,
2 again, complex and layered. In my conversations with
3 Mr. Jidoefor, there's an understanding that, for a variety
4 of reasons, was not there before. He understands that there
5 is a responsibility to you, a responsibility to probation,
6 but he also understands that beyond that responsibility,
7 it's a resource for him.

8 He's got to get his financial life on track. He's
9 got a home to go to. He's got an immigration lawyer who is
10 fighting the issue with regard to deportation. He has a
11 hearing tomorrow that will first determine whether they are
12 allowed to re-open a case that came about because of a
13 lawyer that was representing him previously, who was also
14 representing co-defendants in this case, didn't tell him
15 about a court appearance. So he's getting back on track.

16 The six months that he has served, I would submit,
17 was, in fact, in the grand scheme of things, greater than
18 six months.

19 So, Your Honor, with all the information that you
20 have before you, we're asking that he be released today and
21 reinstated on supervision so that he can go forward and be
22 productive, as he desires to be.

23 THE COURT: What's the language I use if I'm not
24 going to revoke him? Don't I revoke him and then give him
25 just time served?

1 MS. DURHAM: That's probably the simplest way,
2 Your Honor.

3 THE COURT: Okay. Sir, anything that you wish to
4 say to me at this time?

5 THE DEFENDANT: I want to say I'm sorry. I'm
6 really deep down in my heart, I'm sorry. This time around,
7 my time and all my energy to devote on you. Any time that
8 my PO call me, I'm going to be there. Any time that -- I'm
9 sorry for one more chance.

10 THE COURT: Anything for the government?

11 MS. VELAZQUEZ-AGUILU: No, Your Honor.

12 THE COURT: The Court finds that the defendant is
13 in violation of his conditions of supervised release, and
14 the Court will revoke his supervised release and sentence
15 the defendant to time served, following by supervision until
16 original expiration date of September 3, 2017.

17 Additionally, the following condition is added:
18 The defendant is prohibited from owning and operating a
19 business or otherwise being self-employed during the term of
20 supervision unless he receives approval from the probation
21 officer.

22 All right?

23 MS. DURHAM: Yes, Your Honor. Thank you.

24 THE COURT: Good luck, sir.

25 THE DEFENDANT: Thank you very much, sir.

(Court adjourned at 10:45 a.m.)

I, Lori A. Simpson, certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter.

Certified by: s/ Lori A. Simpson

Lori A. Simpson, RMR-CRR